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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/644,819	08/23/2000	Dorian Birsan	CA919990037US1	2470	
7590 01/20/2004			EXAMINER		
Kevin P Radigan Esq Heslin & Rothenberg PC			NGUYEN, DANG T		
5 Columbia Cir		ART UNIT	PAPER NUMBER		
Albany, NY	12203		2178		
			DATE MAILED: 01/20/2004	· ,	

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Арр	lication No.	Applicant(s)		
Office Action Summary		09/6	844,819	BIRSAN ET AL.	(
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			g T Nguyen	2178		
Period fo	The MAILING DATE of this commu or Reply	nication appears (on the cover sheet	with the correspond nce a	ddress	
THE I - Exter after - If the - If NO - Failu - Any r	ORTENED STATUTORY PERIOD I MAILING DATE OF THIS COMMUN nsions of time may be available under the provision SIX (6) MONTHS from the mailing date of this comperiod for reply specified above is less than thirty period for reply is specified above, the maximum set to reply within the set or extended period for reply received by the Office later than three months and patent term adjustment. See 37 CFR 1.704(b).	IICATION. s of 37 CFR 1.136(a). In munication. 30) days, a reply within to statutory period will apply y will, by statute, cause	n no event, however, may the statutory minimum of to and will expire SIX (6) M the application to become	a reply be timely filed thirty (30) days will be considered time ONTHS from the mailing date of this ABANDONED (35 U.S.C. § 133).		
1)[🛛	Responsive to communication(s) file	ed on <u>23 August</u>	<u>2000</u> .			
2a) <u></u> ☐	This action is FINAL .	2b)⊠ This actior	ı is non-final.			
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Dispositi	on of Claims					
4)⊠	Claim(s) 1-27 is/are pending in the	application.				
	4a) Of the above claim(s) is/	are withdrawn fro	m consideration.			
5)□	Claim(s) is/are allowed.					
6)⊠	Claim(s) <u>1-27</u> is/are rejected.					
-	Claim(s) is/are objected to.					
8)∐	Claim(s) are subject to restr	iction and/or elec	tion requirement.			
Applicati	ion Papers					
9)□	The specification is objected to by t	he Examiner.				
10)⊠	The drawing(s) filed on 23 August 2	<u>2000</u> is/are: a)⊠	accepted or b)□	objected to by the Examin	er.	
	Applicant may not request that any obj					
	Replacement drawing sheet(s) includir	-	·	• • •	• •	
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
	ınder 35 U.S.C. §§ 119 and 120					
* (13)	Acknowledgment is made of a clair All b) Some col None of: 1. Certified copies of the priorit 2. Certified copies of the priorit 3. Copies of the certified copies application from the Internation from the Internatio	y documents hav y documents hav s of the priority do onal Bureau (PC on for a list of the for domestic prio ed in the first sen anguage provision for domestic prio	e been received. e been received in cuments have been T Rule 17.2(a)). e certified copies nority under 35 U.S. tence of the special application has rity under 35 U.S.	n Application No en received in this National ot received. C. § 119(e) (to a provisional fication or in an Application been received. C. §§ 120 and/or 121 since	al application) n Data Sheet. e a specific	
Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s)						
2) Notice	the of References Cited (F10-092) the of Draftsperson's Patent Drawing Review mation Disclosure Statement(s) (PTO-1449)			of Informal Patent Application (PT		

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DETAILED ACTION

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1. This action is responsive to communications: Application filed on 08/23/2000.

2. Claims 1-27 are pending in this case. Claims 1, 13, 18, and 23 are independent claims.

Specification

3. Content of Specification

(d) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

Or alternatively, Reference to a "Microfiche Appendix": See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.

The description portion of this application contains a computer program listing consisting of more than three hundred (300) lines. In accordance with 37 CFR 1.96(c), a computer program listing printout of more than three hundred lines must be submitted as a computer program listing appendix on compact disc conforming to the standards set forth in 37 CFR 1.96(c)(2) and must be appropriately referenced in the specification (see 37 CFR 1.77(b)(4)). Accordingly, applicant is required to cancel the computer program listing appearing in the specification, file a computer program listing appendix on compact disc in compliance with 37 CFR 1.96(c), and insert an appropriate reference to the newly added computer program listing appendix on compact disc at the beginning of the specification.

Claim Objections

4. Claims 1, 3-5, 13, 15, 16, 18, 20, 21, 23, and 25-26 objected to because of the following informalities: the claims of invention should not have acronyms. Appropriate correction is required.

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Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Wanderski et al., U.S. patent No. 6,519,617 B1 – filed Apr. 8, 1999.

Regarding independent claim 1, Wanderski discloses a mechanism for manipulating information from a source data model and creating a target data model, said mechanism comprising:

- (a) a template module [XML document] including a directive to manipulate selected data in said source data model (Col. 2 lines 28-40);
- (b) a template processing module to process said directive contained in said template module (Col. 3 lines 26-32);
- (c) said template processing module further including a component to generate a DOM tree for navigating said template module to manipulate said source data model (Col. 3 lines 1-8).

Regarding dependent claim 2, Wanderski discloses wherein said template module further includes a directive to create a target data file (Col. 3 lines 11-12), said

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target data file providing a repository for data obtained from said source data model (Col. 3 lines 13-17).

Regarding dependent claim 3, Wanderski discloses wherein said template module includes a directive to manipulate the DOM tree (Col. 3 lines 2-4).

Regarding dependent claim 4, Wanderski discloses wherein said template processing module further includes a component to generate a DOM tree for navigating said source data model (Col. 3 lines 4-7).

Regarding dependent claim 5, the claims incorporates substantially similar subject matter as claim 3, and is rejected along the same rationale.

Regarding dependent claim 6, Wanderski discloses in an application development program and said source data model and said target source data model define an object for an application program (Col. 2 lines 27-36).

Regarding dependent claim 7, Wanderski discloses wherein said template module is expressed in XML, said template module being defined according to a DTD (Col. 2 lines 2-7).

Regarding dependent claims 8 - 12, the claims incorporates substantially similar subject matter as claim 7, and is rejected along the same rationale.

Regarding independent claim 13, Wanderski discloses a method for manipulating selected data from a source data model, said method comprising:

- (a) defining a template file having a directive specifying the data to be manipulated in said source data model (Col. 3 lines 2-4);
- (b) generating a DOM tree for navigating said template file (Col. 3 lines 4-6);
- (c) navigating said template file and applying said directive to manipulate selected

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data in said source data model (Col. 3 lines 1-7 and Col. 8 lines 49-51).

Regarding dependent claim 14, the claims incorporates substantially similar subject matter as claim 2, and is rejected along the same rationale.

Regarding dependent claim 15, the claims incorporates substantially similar subject matter as claim 4, and is rejected along the same rationale.

Regarding dependent claim 16, the claims incorporates substantially similar subject matter as claim 3, and is rejected along the same rationale.

Regarding dependent claim 17, Wanderski discloses wherein said template file is expressed in XML, said template file being defined according to a DTD (Col. 2 lines 1-8).

Regarding independent claim 18, Wanderski discloses a computer program product for an application program for creating objects, said application program including a utility for manipulating information in a source data model and creating a target data model, said computer program product comprising: a recording medium (see Abstract, line 1, [computer-readable code]); means recorded on said medium for instructing a computer to perform (see Figure 1):

- (a) defining a template file having a directive specifying the data to be manipulated in said source data model (Col. 3 lines 2-4);
- (b) generating a DOM tree for navigating said template file (Col. 3 lines 4-6);
- (c) navigating said template file and applying said directive to manipulate selected data in said source data model (Col. 8 lines 49-51).

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Regarding dependent claim 19, the claims incorporates substantially similar subject matter as claim 2, and is rejected along the same rationale.

Regarding dependent claim 20, Wanderski discloses wherein said applying said directive includes generating a DOM tree for navigating said source data model (Col. 3 lines 4-8).

Regarding dependent claim 21, Wanderski discloses wherein said template file includes a directive for manipulating the DOM tree for said source data model (Col. 3 lines 2-4).

Regarding dependent claim 22, Wanderski discloses wherein said template file is expressed in XML, said template file being defined according to a DTD (Col. 2 lines 2-8).

Regarding independent claim 23, recite a computer program product comprising means for instructing a computer to perform a method for manipulating selected data from a source data model which is equivalent to the method as recited in claim 13 and is similarly rejected, as above.

Regarding dependent claim 24, Wanderski further discloses including creating a target data model (Col. 3 lines 11-12), said target data model providing a repository for the data obtained from said source data model (Col. 3 lines 13-17).

Regarding dependent claim 25, Wanderski discloses wherein said applying said directive includes generating a DOM tree for navigating said source data model (Col. 3 lines 4-8).

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Regarding dependent claim 26, Wanderski discloses wherein said template file includes a directive for manipulating the DOM tree for said source data model (Col. 3 lines 2-4).

Regarding dependent claim 27, Wanderski discloses wherein said template file is expressed in XML, said template file being defined according to a DTD (Col. 2 lines 2-8).

Prior art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pallmann _.	Patent No. US 6,094,684	Date of Patent: Jul. 25, 2000
Morgenstern	Patent No. US 5,970,490	Date of Patent: Oct. 19, 1999
Chen et al.	Patent No. US 6,507,856 B1	Date of Patent: Jan. 14, 2003
Blinn et al.	Patent No. US 6,484,150 B1	Date of Patent: Nov. 19, 2002
Lindsey	Patent No. 5,875,331	Date of Patent: Feb. 23, 1999

Contact Information

6. Any inquiry concerning this communication from the examiner should be directed to Dang Nguyen, who can be reached by telephone at (703) 305-1673. Normal contact times are M-F, 8-4:30.

Upon an unsuccessful attempt to contact the examiner, the examiner's supervisor, Heather Herndon, may be reached at (703) 308-5186.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 746-7239 (for formal communications intended for entry)

or:

(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to

Crystal Park II, 2121 Crystal Drive

Arlington, VA, Fourth Floor (receptionist).

Dang Nguyen 1/8/2004

STEPMENS. HONG PARAMY EXAM. LEA